IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO.1505 OF 2006
IN
SUIT NO.1122 OF 2002

Neha Powerlines Pvt.Ltd. ....Plaintiff
V/s.
D.K. Prabhudevaiah ....Defendant

Mr.S.G. Lakhani for the Plaintiff.
Ms.Suman Jain i/b B.G. Tangsali for the Defendant.

CORAM : S.J. VAZIFDAR, J.
DATED : 17TH JULY, 2007.

P.C. :

1. There is nothing on record whatsoever for setting aside an ex-parte decree. Moreover, even on merits, there is nothing to say in favour of the Defendant. The entire claim is admitted.

2. It was submitted that only an amount of Rs.63,000/- was admitted. It is pertinent to note that an amount of Rs.63,000/- was admitted to be due on 3.12.2001. Thereafter the interest has been calculated. Further the invoice provides for the interest at the rate of 24% p.a. whereas in the suit, the Plaintiff has claimed interest only at the rate of 19% p.a.

3. In the circumstances, there is no case either in the Notice of Motion or on merits. The Notice of

Motion is dismissed.